THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7394 of 2007

Dated:12.04.2007

Between:

Matta Venkata Rao.

… Petitioner

AND

State of A.P., and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7394 of 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Acs.2.31 cents in R.S.Nos.653 and 389 which was statedly purchased by the petitioner's grandfather under registered sale deed dated 06.06.1928. The petitioner and his family members are allegedly cultivating the land for over eight decades. The petitioner alleges that so as to provide house sites under Integrated Novel Development in Rural Areas and Model Municipal Areas (INDIRAMMA) programme, the respondents surveyed the land and took measurements. He further alleges that he made a representation objecting the taking of land for INDIRAMMA programme, in vain, and the respondents are bent upon dispossessing the petitioner without due process of law. Therefore, he filed the present Writ Petition seeking a writ of mandamus declaring the action of the third respondent in interfering with his possession as illegal and arbitrary.

A perusal of the affidavit accompanying the Writ Petition shows that the Writ Petition is filed on a mere apprehension. Learned Assistant Government Pleader for Revenue (General-A), after getting instructions, submits that the petitioner and his family members are in occupation of Government land. If that be so, necessary action shall be taken for evicting the petitioner in accordance with the Andhra Pradesh Land Encroachment Act, 1905. In this Writ Petition no relief can be granted.

The Writ Petition is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

12.04.2007
vs